THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6751 OF 2006

DATED:13.04.2006

Between:

Smt. P.Kamakshi. and another ..Petitioners

And

The District Collector, Ranga Reddy District, Hyderabad and others

.. Respondents

THE HON'BLE SRI JUTICE V.V.S.RAO

WRIT PETITION No.6751 OF 2006

ORDER:

The petitioners, who are two in number, are the owners of residential plots situated at Annapurna Industrial Estate, Bahadurpally Village, Qutubullapur Mandal, Ranga Reddy District. They sold the plots to different persons and approached the third respondent for registration. When the third respondent refused to accept the sale deeds and rejected them, they filed the present Writ Petition. It appears, the Joint Collector issued a circular instructions *vide* communication bearing

No.E2/406/2001, dated 06.02.2001, directing all the Sub-Registrars in the District not to entertain any document for registration of lands for agriculture or non-agriculture purposes without obtaining No Objection Certificate from the District Collector. For that reason, the registration was refused.

The circular of the Joint Collector, dated 06.02.2001, was assailed before this Court in W.P.No.1953 of 2002. A learned single Judge of this Court declared the circular as illegal. On appeal in W.A.No.1133 of 2004, a Division Bench of this Court affirmed the judgment of the learned single Judge on 29.07.2004. Following the same, this Court in number of writ petitions invalidated the circular.

Of late, this Court has come across a large number of writ petitions filed by citizens in Ranga Reddy District approaching the registering authorities and such authorities rejecting registration on the ground of the impugned circular, dated 06.02.2001. Therefore, the first respondent herein may issue a direction to recall the circular instructions in Rc.No.E2/406/2001, dated 06.02.2001, by sending necessary clarification to all the registering authorities, having regard to the decision of the Supreme Court in **State of Rajasthan v. Basant Nahata** and unreported judgment of a Division Bench of this Court in W.P.No.14099 of 2003 and batch, dated 07.12.2005.

Insofar as this Writ Petition is concerned, following the judgment of this Court in W.P.No.1953 of 2002 as affirmed by the Division Bench in W.A.No.1133 of 2004, the same is allowed directing the third respondent to accept the sale deeds presented by the petitioners and register them in accordance with law. If for any other reason the sale deeds cannot be registered, needless to say that the Sub-Registrar has to give reasons for such non-registration. No costs.

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(V.V.S.RAO, J)

13.04.2006

Note: The learned Assistant Government Pleader

for Revenue (General) is directed to communicate

a copy of this order to the District Collector, Ranga

Reddy District, at Lakdikapool, Hyderabad.

(B/o)

GJ